

1970 Bill 101

Third Session, 16th Legislature, 19 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 101

An Act to amend The Ombudsman Act (No. 2)

MR. HYNDMAN

First Reading

Second Reading

Third Reading

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An Act to amend The Ombudsman Act (No. 2)

(Assented to , 1970)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Ombudsman Act* is hereby amended.

2. The following section is added after section 21:

21a. (1) Notwithstanding the provisions of this or any other Act, where the Ombudsman makes a recommendation under subsection (3) of section 20 and the Minister or the Lieutenant Governor in Council

(a) does not deal with the recommendation, or

(b) does not accept the recommendation,

no inquiry, commission, tribunal or other forum which might deal with the subject matter of the said recommendation shall be established by the Minister or by the Lieutenant Governor in Council unless either is so empowered by the Legislative Assembly of the Province of Alberta.

(2) In order that the Legislature may be apprised of the matter in issue, the Minister and the Ombudsman shall, prior to the matter being dealt with by the Legislature, table such information as is sufficient to enable the Legislature to make a direction or decision on the said matter.

3. This Act comes into force on the day upon which it is assented to.

Explanatory Notes

This Bill clarifies the status of the Ombudsman and specifically guarantees the independence of the Ombudsman as a servant of the Legislature rather than the Executive in situations where recommendations of the Ombudsman are not accepted by the Executive.